

# ***The Patient Access to Disposable Medical Technology Act of 2015 (S. 1253)***

***Senators Burr & Bennet***

## ***Why is this bill important to patients?***

Many Medicare beneficiaries rely on disposable medical devices that provide healing in the home setting following a hospital stay, including negative pressure wound therapy (NPWT). Today, a number of innovative, disposable technologies have become available to patients that can be easier to use and less expensive than their durable counterparts and provide benefits to patients. Unfortunately, as a result of Medicare's current policy, a product a senior receives in the hospital may not be covered once they return home. This lack of continuity of care could lead to an avoidable readmission or adverse outcome. Unfortunately, patients may be forced to rely on bulkier, outdated technologies, and as a result, they may be confined to the home while recovering and have restricted mobility. Patients in the Medicare program should have the ability to access the durable medical equipment (DME) that will best meet their individualized needs—including disposable DME technologies. Veterans who are served by the Medicare program and have unique health care needs could also benefit from access to these disposable technologies.

## ***Why Doesn't Medicare Pay for Disposable Medical Technology?***

Medicare's DME benefit provides Medicare beneficiaries with access to certain medical technologies in the home and community settings. However, the statutory definition of DME is decades old and written at a time when typical DME products were items like wheelchairs and crutches. Under current law, if a home health agency provides a beneficiary with durable NPWT, Medicare makes a payment to the home health agency that reflects the NPWT. However, if the home health agency uses disposable NPWT, Medicare does not make an additional payment for the disposable NPWT.

## ***Modernizing Medicare's Disposable Device Policy for Patients***

The Patient Access to Disposable Medical Technology Act of 2015, as modified by the Senate Finance Committee, would modernize Medicare to provide a payment, separate from payments otherwise made under the home health prospective payment system, for disposable NPWT ("applicable disposable device"), provided to a beneficiary who receives home health services beginning on January 1, 2017. The Secretary of Health and Human Services would be required to establish the separate payment amount for 2017, 2018, and 2019 at the greater of the amount that would be paid for applicable disposable devices under the hospital outpatient department prospective payment system (OPD PPS) for the year involved or an amount equal to 150 percent of the amount paid for applicable disposable devices under the OPD PPS for 2015. Beginning in 2019, the payment amount would be the payment that would be made for applicable disposable devices under the OPD PPS for the year involved.

S. 1253, as modified, would require the Government Accountability Office (GAO) to report on the value of disposable devices and the role of disposable devices. It would also require GAO to submit a report on the impact of coverage of, and payment for disposable NPWT as provided for by the bill.

This legislation will encourage continued and future innovation of disposable products on behalf of patients. Innovation in health care technologies, such as disposable technologies, will help to advance cost-effective, easy to use products, which also hold the potential to lower Medicare spending and improve the health of beneficiaries served by this program.

*S. 1253, as modified, was approved by the Senate Finance Committee on June 24, 2015*